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those statutes. Any satisfactory annotation purporting to be more than a mere collection of the cases decided under the statutes must discuss, first, the constitutional powers of the federal government over interstate commerce; second, the rights and liabilities of interstate carriers and traders at common law as affected by the constitution; and finally, the changes in those rights by the federal statutes. Mr. Snyder, while he has apparently attempted to do this, has not been so successful as one might wish in keeping the different elements of the problem distinct. Many of the cases cited under particular sections of the statutes belong in the opening chapter on constitutional provisions as to interstate commerce and their effect, or in a section containing a general discussion of the situation before the enactment of the statutes in question. Furthermore, his statement of the general principles underlying the problem is not always discriminating. For instance, on p. 42 he states, "But until Congress legislates the local law or the statutes of a state upon a subject which may directly or indirectly affect a branch of interstate commerce not covered by a federal statute will prevail." This statement, in so far as it concerns state statutes, must be regarded as true rather of local police regulations affecting commerce only remotely and incidentally than of regulations of interstate commerce as such. *Welton v. Missouri*, 91 U. S. 275. As a whole the book is lacking in logic of arrangement and in breadth of treatment. The author's services are rather those of a collector than of an original contributor to the subject. The book furnishes, however, reasonably full notes on nearly three hundred important decisions, most of them very recent, which are made accessible through a table of cases and an index.

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**CASES ON RESTRAINT OF INFRINGEMENT OF INCORPOREAL RIGHTS.** A collection of Cases with Notes. By Wm. Draper Lewis. Philadelphia: International Printing Co. 1904. pp. ii, xv, 405. 8vo.

Although this collection of cases is avowedly intended to illustrate phases of equity jurisdiction, almost half of the book is occupied by a consideration of the existence and growth of the legal rights involved. There would seem to be danger that the great conflict as to the substantive law on these questions will obscure to some extent the doctrines of equity. This is especially true of the chapters dealing with the infringement of patents, literary and artistic property, property in business reputation, and the right of privacy, where the conflict is not as to the remedy to be afforded, but rather as to the existence of the right.

In the fourth chapter the author has collected the cases in which the right to contract and property in contracts have been infringed. The treatment here is thorough and all the important cases are collected. The comprehensive notes, with the authorities collected to date, make the work of value alike to student and practitioner. From the note to *Lumley v. Wagner* on pp. 202 and 203, an impression is gained that an injunction will lie in all cases to restrain the commission of a tort by inducing a third party to break his contract with the plaintiff. Of course *Lumley v. Wagner* cannot be used to support such a proposition. In that case the right to restrain Gye from employing Miss Wagner seems to be assumed as a necessary result from the right to restrain Miss Wagner from breaking her contract with Lumley; but this latter right depends upon the nature of the contract, and in those cases where the remedy at law for breach of contract is adequate, equity will not take jurisdiction. See *Sternberg v. O'Brien*, 48 N. J. Eq. 370.

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**AN OUTLINE OF THE FRENCH LAW OF EVIDENCE.** By Oliver E. Bodington. London: Stevens and Sons, Limited. 1904. pp. viii, 199. 8vo.

Although this work purports to be a comparative study of the English and French methods of proof, it is, with the exception of the final chapter, which points out a few of the distinctions between the two systems, devoted solely to

the investigation of the French law. Aside from the final chapter, the reader is left to make his comparisons from his own knowledge of the English law. As the book is small, the treatment of the different subjects taken up is necessarily brief. The author first outlines the different kinds of evidence admissible in civil cases, and then touches on the method of examining witnesses and introducing proof. Then after describing the method of conducting criminal trials, he finally points out what he considers the salient advantages of each system with particular reference to the jury. The treatment of the subject is by design sketchy rather than exhaustive. Although a lawyer might not agree with the conclusions reached by the author in his comparisons, he would find the book interesting and instructive, and its brevity would no doubt recommend it to the casual student who wishes to gain an idea of the method of procedure in France. But the purpose expressed by the author to make the book simple enough for the lay mind to comprehend seems hardly to have been successfully carried out.

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**PROBATE REPORTS ANNOTATED:** Containing Recent Cases of General Value Decided in the Courts of the Several States on Points of Probate Law. With Notes and References. By George A. Clement. Vol. VIII. With Index to Vols. I. to VIII., Inclusive. New York: Baker, Voorhis & Company. 1904. pp. li, 838. 8vo.

The plan of this series of reports is "to give in about one volume a year, contemporaneous or recent decisions of the highest courts of the different states of the Union upon all matters cognizable in probate and surrogate courts." It is distinguished from its predecessor, the "American Probate Reports," by the greater attention paid to annotations. The present volume contains cases decided between February, 1902, and June, 1903, one hundred and fifteen in all. The notes are fewer than in previous volumes, which is perhaps due to the fact that the ground has been pretty well covered. The important notes are those on costs and attorney or counsel fees, paraphernalia, and set-off or counterclaim as affecting estate. An interesting short note is that on mental capacity to make a will as affected by spiritualism. The general index of the series, both of notes and of cases, which appears for the first time in this volume, gives it an added value as a work of reference.

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**THE NATIONAL BANK ACT** with all its amendments annotated and explained. By John M. Gould. Boston: Little, Brown, and Company. 1904. pp. xvi, 288. 8vo.

The title of this book well explains its nature. The National Bank Act of 1864 is given, the numerous amendments down to the present time being inserted in the proper places. The whole is annotated with the decisions, both federal and state, explaining or modifying the various provisions. The plan admits ready reference to see what sections have been passed upon. Conflicts in decisions are compared so as to show the weight of authority, and the more than seven hundred cases cited come down to September, 1904. Appendixes give the constitution of the American Bankers' Association, the constitutions and rules of the New York and Boston clearing house associations, and the articles of association of the Chicago clearing house. Separate indexes for the body of the work and for the appendixes are given. The volume seems well adapted to its purpose of practical service.